

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Case No. 23-70301-JAD

LEE M. HILL,

Chapter 13

Debtor.

Related to Docs. #16, 27 and 29

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☒ a plan modification sought by agreement by and between Capital One Auto Finance, a division of Capital One, N.A. ("COAF") and the Debtor, Lee M. Hill;
- ☐ a motion to lift stay
as to creditor _____
- ☐ Other: _____

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Chapter 13 Plan dated September 28, 2023 [Doc. No. 16], and confirmed on a final basis by Order dated November 17, 2023 [Doc. No. 27]
- ☐ Amended Chapter 13 Plan dated _____

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Debtor's Plan payments shall be changed from \$1,922.00 to \$2,043.00 per month, effective December 2023.
- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: Claim No. 6 of COAF shall govern as to amount, with an allowed secured claim in the amount of \$14,624.29, to be paid at the agreed upon interest rate of 9.5%. If the Debtor files an amended chapter 13 plan, any subsequent chapter 13 plan shall incorporate such treatment of COAF's Claim. COAF shall retain its lien on the Vehicle until the Debtor's chapter 13 plan has been fully completed or until COAF has been paid the full amount to which it is entitled under applicable non-bankruptcy law, whichever occurs earlier. Upon payment in accordance with these terms and successful completion of the chapter 13 plan by the Debtor, COAF shall release its lien on the Vehicle.


IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days

hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

SO ORDERED, this 7th day of December, 2023

Dated: 12/7/2023


United States Bankruptcy Judge **sjk**
Jeffery A. Deller

Stipulated by:

/s/ Lawrence Willis
Counsel to Debtor

Stipulated by:

/s/ James C. Warmbrodt
Counsel to Chapter 13 Trustee

Stipulated by:

/s/ Maribeth Thomas
Counsel to Capital One Auto
Finance, a division of Capital
One, N.A.

FILED
12/7/23 12:37 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

cc: All Parties in Interest to be served by Clerk

In re:
Lee M. Hill
Debtor

Case No. 23-70301-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: auto

Page 1 of 4

Date Rcvd: Dec 07, 2023

Form ID: pdf900

Total Noticed: 47

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 09, 2023:

Recip ID	Recipient Name and Address
db	+ Lee M. Hill, 874 Forest Hills Drive, Sidman, PA 15955-4935
15634553	+ Conemaugh Memorial Medical Center, 1086 Franklin Street, Johnstown, PA 15905-4305
15642986	+ Eastern Revenue Inc, Po Box 777, Horsham, PA 19044-0777
15634558	+ Indiana Regional Medical Center, 835 Hospital Rd, Indiana, PA 15701-3629
15643006	+ Windber Care, PO Box 384, Windber, PA 15963-0384
15643007	+ Windber Medical, 600 Somerset Avenue, Windber, PA 15963-1397

TOTAL: 6

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Dec 07 2023 23:52:37	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: BKRMailOps@weltman.com	Dec 07 2023 23:49:00	Ford Motor Credit Company, LLC, c/o Weltman, Weinberg & Reis, Co., L.P.A, 965 Keynote Circle, Cleveland, OH 44131-1829
15650230	Email/PDF: bncnotices@becket-lee.com	Dec 08 2023 00:03:24	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15634549	+ Email/PDF: bncnotices@becket-lee.com	Dec 08 2023 00:03:24	Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15634550	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 07 2023 23:53:03	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15634551	+ Email/PDF: acg.coaf.ebn@aisinfo.com	Dec 08 2023 00:03:15	Capital One Auto Finance, Attn: Bankruptcy, 7933 Preston Rd, Plano, TX 75024-2302
15641310	+ Email/PDF: acg.acg.ebn@aisinfo.com	Dec 07 2023 23:53:05	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
15648339	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 07 2023 23:52:37	Capital One N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15634552	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 07 2023 23:52:37	Capital One/Walmart, Attn: Bankruptcy, P.O. Box 30285, Salt Lake City, UT 84130-0285
15642982	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Dec 07 2023 23:52:37	Carson Smithfield, PO Box 9216, Old Bethpage, NY 11804-9016
15634554	+ Email/PDF: creditonebknofications@resurgent.com	Dec 08 2023 00:03:15	Credit One Bank, Attn: Bankruptcy Department, 6801 Cimarron Rd, Las Vegas, NV 89113-2273
15634555	Email/Text: BKCourtNotices@yourmortgageonline.com	Dec 07 2023 23:49:00	Dovenmuehle Mortgage, Inc., Attn: Bankruptcy, 1 Corporate Dr. St 360, Lake Zurich, IL 60047
15656839	Email/Text: BKCourtNotices@yourmortgageonline.com		

District/off: 0315-7

User: auto

Page 2 of 4

Date Rcvd: Dec 07, 2023

Form ID: pdf900

Total Noticed: 47

		Dec 07 2023 23:49:00	AmeriSave Mortgage Corporation, 1 Corporate Drive, Suite 360, Lake Zurich, IL 60047
15653219	Email/Text: EBNBKNOT@ford.com	Dec 07 2023 23:49:00	Ford Motor Credit Company, LLC, c/o Weltman, Weinberg & Reis Co LPA, P.O. Box 62180, Colorado Springs, CO 80962
15634556	+ Email/PDF: ais.fpc.ebn@aisinfo.com	Dec 07 2023 23:52:37	First Premier Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
15642988	+ Email/Text: argbsref@geico.com	Dec 07 2023 23:49:00	Geico, One GEICO Plaza,, Washington, DC 20076-0005
15634557	+ Email/Text: GSBankElectronicBankruptcyNotice@gs.com	Dec 07 2023 23:49:00	Goldman Sachs Bank USA, Attn: Bankruptcy, Po Box 70379, Philadelphia, PA 19176-0379
15657018	Email/Text: JCAP_BNC_Notices@jcap.com	Dec 07 2023 23:49:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud MN 56302-9617
15634559	Email/Text: JCAP_BNC_Notices@jcap.com	Dec 07 2023 23:49:00	Jefferson Capital Systems, LLC, Attn: Bankruptcy, 16 Mcleland Road, Saint Cloud, MN 56303
15634560	+ Email/Text: PBNCNotifications@peritusservices.com	Dec 07 2023 23:49:00	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15635852	Email/PDF: resurgentbknofications@resurgent.com	Dec 07 2023 23:52:39	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15634561	^ MEBN	Dec 07 2023 23:47:04	LendingPoint LLC., Attn: Bankruptcy, 1201 Roberts Blvd Suite 200, Kennesaw, GA 30144-3612
15634562	+ Email/Text: EBNBKNOT@ford.com	Dec 07 2023 23:49:00	Lincoln Automotive Fin, Attn: Bankrutcy, Po Box 54200, Omaha, NE 68154-8000
15634563	+ Email/PDF: resurgentbknofications@resurgent.com	Dec 08 2023 00:03:20	Lvnv Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497, Greenville, SC 29603-0497
15640309	Email/PDF: MerrickBKNotifications@Resurgent.com	Dec 07 2023 23:53:06	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
15634565	Email/Text: ml-ebn@missionlane.com	Dec 07 2023 23:49:00	Mission Lane LLC, Attn: Bankruptcy, P.O. Box 105286, Atlanta, GA 30348
15634564	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Dec 08 2023 00:03:24	Merrick Bank/CCHoldings, Attn: Bankruptcy, P.O. Box 9201, Old Bethpage, NY 11804-9001
15648758	+ Email/Text: bankruptcydpt@mcmcg.com	Dec 07 2023 23:49:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15634566	+ Email/Text: electronicbkydocs@nelnet.net	Dec 07 2023 23:49:00	Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
15657026	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 07 2023 23:53:06	PORTFOLIO RECOVERY ASSOCIATES, LLC, POB 41067, Norfolk, VA 23541
15657060	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 07 2023 23:53:06	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15634567	+ Email/Text: BankruptcyEast@firstenergycorp.com	Dec 07 2023 23:49:00	Penelec, PO Box 3687, Akron, OH 44309-3687
15638861	+ Email/Text: BankruptcyEast@firstenergycorp.com	Dec 07 2023 23:49:00	Pennsylvania Electric Company, 101 Crawford's Corner Road, Building 1 Suite 1-511, Holmdel, NJ 07733-1976
15643000	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 08 2023 00:03:20	Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
15657057	+ Email/Text: JCAP_BNC_Notices@jcap.com	Dec 07 2023 23:49:00	Premier Bankcard, LLC, Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud MN 56302-7999
15643001	+ Email/PDF: resurgentbknofications@resurgent.com	Dec 08 2023 00:03:15	Resurgent Capital Services, PO Box 19034, Greenville, SC 29602-9034

District/off: 0315-7

User: auto

Page 3 of 4

Date Rcvd: Dec 07, 2023

Form ID: pdf900

Total Noticed: 47

15634568	+ Email/PDF: ais.sync.ebn@aisinfo.com	Dec 08 2023 00:03:24	Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15634569	+ Email/PDF: ais.sync.ebn@aisinfo.com	Dec 08 2023 00:03:19	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15634570	+ Email/PDF: ais.sync.ebn@aisinfo.com	Dec 08 2023 00:03:15	Synchrony/Ashley Furniture Homestore, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15643005	+ Email/Text: bankruptcydepartment@tsico.com	Dec 07 2023 23:49:00	Transworld Systems Inc, Po Box 15618, Wilmington, DE 19850-5618
15644493	+ Email/Text: electronicbkydocs@nelnet.net	Dec 07 2023 23:49:00	U.S. Department of Education c/o Nelnet, 121 S 13th St, Lincoln, NE 68508-1904
TOTAL: 41			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		AmeriSave Mortgage Corporation
cr	*+	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	*+	Midland Credit Management, Inc., PO Box 2037, WARREN, MI 48090-2037
15642978	*+	Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15642979	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15642980	*+	Capital One Auto Finance, Attn: Bankruptcy, 7933 Preston Rd, Plano, TX 75024-2302
15642981	*+	Capital One/Walmart, Attn: Bankruptcy, P.O. Box 30285, Salt Lake City, UT 84130-0285
15642983	*+	Conemaugh Memorial Medical Center, 1086 Franklin Street, Johnstown, PA 15905-4305
15642984	*+	Credit One Bank, Attn: Bankruptcy Department, 6801 Cimarron Rd, Las Vegas, NV 89113-2273
15642985	*P++	DOVENMUEHLE MORTGAGE, 1 CORPORATE DRIVE SUITE 360, LAKE ZURICH IL 60047-8945, address filed with court:, Dovenmuehle Mortgage, Inc., Attn: Bankruptcy, 1 Corporate Dr. St 360, Lake Zurich, IL 60047
15642987	*+	First Premier Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
15642989	*+	Goldman Sachs Bank USA, Attn: Bankruptcy, Po Box 70379, Philadelphia, PA 19176-0379
15642990	*+	Indiana Regional Medical Center, 835 Hospital Rd, Indiana, PA 15701-3629
15642991	*P++	JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999, address filed with court:, Jefferson Capital Systems, LLC, Attn: Bankruptcy, 16 Mclelland Road, Saint Cloud, MN 56303
15642992	*+	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15642993	*+	LendingPoint LLC., Attn: Bankruptcy, 1201 Roberts Blvd Suite 200, Kennesaw, GA 30144-3612
15642994	*+	Lincoln Automotive Fin, Attn: Bankruptcy, Po Box 54200, Omaha, NE 68154-8000
15642995	*+	Lvnv Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497, Greenville, SC 29603-0497
15642997	*P++	MISSION LANE LLC, PO BOX 105286, ATLANTA GA 30348-5286, address filed with court:, Mission Lane LLC, Attn: Bankruptcy, P.O. Box 105286, Atlanta, GA 30348
15642996	*+	Merrick Bank/CCHoldings, Attn: Bankruptcy, P.O. Box 9201, Old Bethpage, NY 11804-9001
15642998	*+	Nelnet, Attn: Claims, Po Box 82505, Lincoln, NE 68501-2505
15642999	*+	Penelec, PO Box 3687, Akron, OH 44309-3687
15643002	*+	Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15643003	*+	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15643004	*+	Synchrony/Ashley Furniture Homestore, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 1 Undeliverable, 24 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0315-7

User: auto

Page 4 of 4

Date Rcvd: Dec 07, 2023

Form ID: pdf900

Total Noticed: 47

Date: Dec 09, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 7, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor AmeriSave Mortgage Corporation bnicholas@kmlawgroup.com
Garry Alan Masterson	on behalf of Creditor Ford Motor Credit Company LLC pitecf@weltman.com, gmasterson@weltman.com
Lawrence W. Willis	on behalf of Debtor Lee M. Hill ecf@westernpabankruptcy.com urfreshstrt@gmail.com;willislr88866@notify.bestcase.com
Maribeth Thomas	on behalf of Creditor Capital One Auto Finance a division of Capital One, N.A. mthomas@tuckerlaw.com, maribeth.thomas@gmail.com
Maribeth Thomas	on behalf of Creditor Capital One Auto Finance a division of Capital One, N.A., c/o AIS Portfolio Services, LLC mthomas@tuckerlaw.com, maribeth.thomas@gmail.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 7